

**Docket Number:** T10-0132  
**Bench Date:** 9/22/2010  
**Deadline:** N/A

**MEMORANDUM**

---

**TO:** The Commission

**FROM:** Michael E. Stead, Railroad Safety Program Administrator

**DATE:** September 8, 2010

**SUBJECT:** Union Pacific Railroad Company, the Kankakee County Highway Department, Ganeer Township Road District, and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding improving public safety at the E. 1000S Road (AAR/DOT #167 543E; railroad milepost 54.10-CL), S. 9500E Road (AAR/DOT #167 544L; railroad milepost 55.33-CL), and E. 2500S Road (AAR/DOT #167 545T; railroad milepost 55.70-CL) highway-rail grade crossings of the Union Pacific Railroad Company's track, located near Momence, Kankakee County.

**RECOMMENDATION:** Enter Order approving Stipulated Agreement.

---

The recommended Order accepts the terms of Stipulated Agreement 1440 executed by the named parties. The Stipulated Agreement provides for the installation of automatic flashing light signals and gates, and improvement of the highway approaches at the E 1000S, S. 9500E, and E. 2500S Road crossings, located near Momence, Kankakee County.

This project came to the attention of the Rail Safety Section via an application from the Union Pacific Railroad Company. The estimated cost to install the new automatic flashing light signals and gates is \$838,948. Staff recommends the Grade Crossing Protection Fund be used to pay 90% of the warning device installation costs, not to exceed \$755,053. The Union Pacific Railroad Company will pay the remaining warning device installation costs, as well as all future operating and maintenance costs.

The estimated cost to improve the highway approach grades at the E 1000S, S. 9500E, and E. 2500S Road crossings is \$97,689. The Ganeer Township Road District has agreed to pay \$10,000 towards the cost to improve the approach grades and has requested assistance from the GCPF to pay the remaining cost involved with the approach work. The Road District will be responsible for all remaining costs associated with improving the approach grades, as well as all future maintenance costs.

Staff would normally recommend that Ganeer Township Road District pay 100% of the costs associated with the highway approach grade improvements. However, due to documented economic hardship, the Township can only afford to pay a portion of the highway approach improvements. Staff considers the proposed improvements important enough to recommend that the GCPF be used to pay a portion of the highway approach grade improvements, not to exceed \$97,689.

All work is to be completed within twelve (12) months of the Order date. I recommend entry of the attached Order approving the Stipulated Agreement.

Attachment  
JRS